IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

Bail Appl..No. 7013 of 2006()

CMP.7725/2006 of J.M.F.C.-I,PATHANAMTHITTA
Crime No.53/2006 of Pathanamthitta Exchange Range

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PETITIONER/ACCUSED:

P.K. RAJAMMA, AGED 58 YEARS,
PUTHEN VEETTIL, VELLOOR MALA,
ERUMAKADUKARAYIL, ARANMULA,
KOZHENCHERRY.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENT:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application NO.7013 of 2006

Dated this the 29th day of November,2006.

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in Crime No.53 of 2006 of Pathanamthitta Excise Range for an offence punishable under Sec 8(1)(2) of the Abkari Act, for having been found in possession of 4.5 liters of illicit arrack on 3.11.2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,

JUDGE.

ess 29/11